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Sent: Tue 1/22/2013 11:23:45 PM
Subject: use this response for #11 pls

11. Comment: Biological confirmation

Response: The League expressed interest in the use of biological confirmation as a test before a discharger would be required to treat to a lower variance level. DEQ has responded to this comment by incorporating the concept into the updated rule language. For example, New Rule 1 (3) allows for a higher variance limit in situations where modeling shows that reducing a single nutrient may achieve the same desired biological and water-quality endpoints as equal emphasis on reducing both nitrogen and phosphorus. (See Response to Comment #3). Additionally, in situations where available biological data demonstrate the use is being supported, DEQ developed a template that could be used by dischargers to collect data to derive reach-specific criteria.

DEQ welcomes continued dialogue on this topic to ensure the final product addresses stakeholder concerns.

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